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Cara L. Iddings

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Weaver Austin Villeneuve & Sampson LLP - IGT

Attn: IGT

P.O. Box 70250

Oakland, CA 94612-0250

EXAMINER

SHRESTHA, BIJENDRA K

ART UNIT

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3691

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ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTO@wavsip.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/723,129	<b>Applicant(s)</b> IDDINGS, CARA L.	
	<b>Examiner</b> BIJENDRA K. SHRESTHA	<b>Art Unit</b> 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17, 19-23 and 25-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19-23 and 25-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

Claims 1-17, 19-23 and 25-41 are presented for examination. Applicant filed an amendment on 10/30/2009 amending claims 1, 6-9, 13, 16-17, 22 and 40. After careful consideration of applicant's amendments and arguments, new ground of rejections of claims has been established in the instant application as set forth in detail below.

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-17, 19-23 and 25-41 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding claims 1, 8, 9, 22, and 40, it appears that the claimed method steps could simply be performed by mental process alone and are not statutory. These claims are directed towards steps of "receiving", "generating", "determining", "comparing", "declining", "verifying", "creating" and "authorizing" without including another machine. Since the claims are directed to a process without including another machine, these claims fall within the scope of human intelligence alone, and are non-statutory. The dependent claims 2-7, 1017, 19-21, 23, 25-39 and 41 and 30-49 which depend upon the independent claims are evidently rejected under 35 U.S.C. 101.

The applicant amended the independent claims with addition of claim languages "at a gaming machine", "at a jackpot server" and "at a printer". Examiner recommends replacing the language "at gaming machine/jackpot server/printer" by "via/by machine/jackpot server/printer in order to positively claim the invention.

Based on Supreme Court precedent and recent Federal Circuit decisions, a 35 U.S.C § 101 process must (1) be tied to a particular machine or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. In re Bilski et al, 88 USPQ 2d 1385 CAFC (2008); Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780,787-88 (1876).

An example of a method claim that would not qualify as a statutory process would be a claim that recited purely mental steps. Thus, to qualify as a § 101 statutory process, the claim should positively recite the particular machine to which it is tied, for example by identifying the apparatus that accomplishes the method steps, or positively recite the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.

Here, Applicant's method steps are not tied to a particular machine and do not perform a transformation. Thus, the claims are non-statutory.

The mere recitation of the machine in the preamble with an absence of a machine in the body of the claim fails to make the claim statutory under 35 USC 101.

*Note the Board of Patent Appeals Informative Opinion Ex parte Langemyer et al.*

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

4. Claims 1-17, 18-21, 24, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hilgendorf et al., U.S. Patent No. 5,249,800 (reference A in attached PTO-892) in view of Solomon, U.S. Patent No. 6,892,938 (reference B in attached PTO-892) further in view of Mothwurf et al., U.S. Patent No. 6,712,695 (reference C in attached PTO-892) and Walter et al., U.S. Patent No. 7,300,349 (reference D in attached PTO-892).

5. As per claims 1 and 2, Hilgendorf et al. teach a method for authorizing a manual payment of a gaming jackpot (see column 1, lines 43-54), comprising:

receiving a jackpot winning signal from a gaming machine, said jackpot signal including *an amount of* a jackpot value of a jackpot won by a player (see Fig. 1, column 3, lines 33-37; where communication unit 26 receives jackpot hit data message from one of the gaming machine 10 and ASCII "0-7" to indicate which of jackpot listed in Table 16 has been hit; column 6, lines 58-68).

authorizing transfer of the confirmed jackpot value to the player without a requirement for a human corroborating payment witnessing user (see column 3, lines 11-12; where jackpot is paid through hopper without requirement of a human witness);  
and

Hilgendorf et al. do not teach receiving a payment user transaction signal, said transaction signal including a payment user identifier and a jackpot transaction value inputted by a payment attendant, the payment user identifier identifying the payment attendant and the jackpot transaction value indicating an amount of a jackpot won by the player.

Solomon teaches receiving a payment user transaction signal, said transaction signal including a payment user identifier and a jackpot transaction value inputted by a payment attendant, the payment user identifier identifying the payment attendant and the jackpot transaction value indicating an amount of a jackpot won by the player (Solomon, Fig. 1 and 4, column 4, lines 1-49; where attendant identifies itself to gaming machine and process payments based on list of assigned payment to attendant by the computer) (Solomon, column 1, lines 47-67 to column 1-3; where ticket is printed to record authorized transfer).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to receiving a payment user transaction signal, said transaction signal including a payment user identifier and a jackpot transaction value inputted by a payment attendant and the jackpot transaction value indicating an amount of a jackpot won by the player of Hilgendorf et al. because the Solomon teaches including above features would enable to meet governmental reporting requirements for casino for reducing fraud and theft (Solomon, column 2, lines 4-6).

Hilgendorf et al. do not teach comparing the *amount of the* jackpot value of the jackpot winning signal to the *amount of the* jackpot transaction value of the payment

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user transaction signal and generating a confirmed jackpot value if the *amount of the* jackpot value of the jackpot winning signal is equal to the jackpot transaction value of the payment user transaction signal and creating a record of the authorized transfer.

Walker et al. teach comparing the jackpot value of the jackpot winning signal to the jackpot transaction value of the payment user transaction signal and generating a confirmed jackpot value if the jackpot value of the jackpot winning signal is equal to the jackpot transaction value of the payment user transaction signal, creating a record of the authorized transfer and authorizing transfer of the confirmed jackpot value to the player without a requirement for a human corroborating payment witnessing user (see Fig. 14; column 14, lines 48-59; where the operator verifies the payout amount with the server with identified winning lottery ticket and makes payment the winner without witness present).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate comparing the jackpot value of the jackpot winning signal to the jackpot transaction value of the payment user transaction signal and generating a confirmed jackpot value if the jackpot value of the jackpot winning signal is equal to the jackpot transaction value of the payment user transaction signal and creating a record of the authorized transfer of Hilgendorf et al. because Walter et al. teach including above features would enable to centralize lottery receiving and processing operations but lottery themselves being themselves being sold at remote authorized outlets or terminals (Walter et al., column 1, lines 37-41).

Hilgendorf et al. do not teach receiving winning signal from gaming machine and payment user transaction signal at a jackpot server.

Mothwurf et al. teach receiving winning signal from gaming machine and payment user transaction signal at a jackpot server (Mothwurf et al., abstract; column 3, lines 7-33)

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate receiving winning signal from gaming machine and payment user transaction signal at a jackpot server of Hilgendorf et al. because Mothwurf et al. teach including above features would enable the management of casino to flexibly configure the jackpot maximizing profit and turnover (Mothwurf et al., column 2, lines 24-29).

6. As per claims 3-5, Hilgendorf et al. in view of Solomon further in view of Mothwurf et al. teach claim 1 as described above. Hilgendorf et al. further teach the method of comprising:

suspending said gaming machine to prevent further gaming play thereon; transferring the confirmed jackpot value to the player; and releasing the gaming machine to permit gaming play thereon (see Fig. 2; column 4, lines 50-63; where machines are locked until jackpot is paid).

7. As per claims 6-7, Hilgendorf et al. in view of Solomon further in view of Mothwurf et al. teach claim 1 as described above.

Hilgendorf et al. do not teach generating an unconfirmed jackpot value signal if the *amount of the* jackpot value of the jackpot winning signal is not equal to the *amount*



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of the jackpot transaction value of the transaction signal; generating a witness summoning signal; comparing the *amount of the* jackpot value of the jackpot winning signal to a maximum jackpot witness-less manual payment value; and requiring a corroborating payment witnessing user if the *amount of the* jackpot value of the jackpot winning signal is greater than a witness-less jackpot manual payment maximum value.

Solomon teaches generating an unconfirmed jackpot value signal if the jackpot value of the jackpot winning signal is not equal to the jackpot transaction value of the transaction signal; generating a witness summoning signal; comparing the jackpot value of the jackpot winning signal to a maximum jackpot witness-less manual payment value; and requiring a corroborating payment witnessing user if the jackpot value of the jackpot winning signal is greater than a witness-less jackpot manual payment maximum value (Solomon, column 1, lines 16-55; column 6, lines 28-45; where employee pays jackpot without witness such as through cash dispensing peripheral for predetermined amount; additional authorization or witness is required for payment over predetermined value).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate generating an unconfirmed jackpot value signal if the jackpot value of the jackpot winning signal is not equal to the jackpot transaction value of the transaction signal; generating a witness summoning signal; comparing the jackpot value of the jackpot winning signal to a maximum jackpot witness-less manual payment value; and requiring a corroborating payment witnessing user if the jackpot value of the jackpot winning signal is greater than a witness-less jackpot manual payment maximum value of Hilgendorf et al. in view of Mothwurf et al. because Solomon teaches including

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above features would enable to reduce the threat of fraud or theft (Solomon, column 2, lines 6-9).

8. As per claim 8, Hilgendorf et al. teach an article comprising a storage medium, said storage medium having stored thereon instructions that, when executed by a computing device (see Fig. 2, MPU (40)):

receiving a jackpot winning signal from a gaming machine, said jackpot signal including *an amount of* a jackpot value of a jackpot won by a player (see Fig. 1, column 3, lines 33-37; where communication unit 26 receives jackpot hit data message from one of the gaming machine 10 and ASCII "0-7" to indicate which of jackpot listed in Table 16 has been hit);

authorizing transfer of the confirmed jackpot value to the player without a requirement for a human corroborating payment witnessing user (see column 3, lines 11-12; where jackpot is paid through hopper without requirement of a human witness); and

Hilgendorf et al. do not teach comparing the *amount of the* jackpot value of the jackpot winning signal to the *amount of the* jackpot transaction value of the payment user transaction signal and generating a confirmed jackpot value if the *amount of the* jackpot value of the jackpot winning signal is equal to the jackpot transaction value of the payment user transaction signal and creating a record of the authorized transfer.

Walker et al. teach comparing the jackpot value of the jackpot winning signal to the jackpot transaction value of the payment user transaction signal and generating a

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confirmed jackpot value if the jackpot value of the jackpot winning signal is equal to the jackpot transaction value of the payment user transaction signal, creating a record of the authorized transfer and authorizing transfer of the confirmed jackpot value to the player without a requirement for a human corroborating payment witnessing user (see Fig. 14; column 14, lines 48-59; where the operator verifies the payout amount with the server with identified winning lottery ticket and makes payment the winner without witness present).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate comparing the jackpot value of the jackpot winning signal to the jackpot transaction value of the payment user transaction signal and generating a confirmed jackpot value if the jackpot value of the jackpot winning signal is equal to the jackpot transaction value of the payment user transaction signal and creating a record of the authorized transfer of Hilgendorf et al. because Walter et al. teach including above features would enable to centralize lottery receiving and processing operations but lottery themselves being themselves being sold at remote authorized outlets or terminals (Walter et al., column 1, lines 37-41).

Hilgendorf et al. do not teach receiving a payment user transaction signal, said transaction signal including a payment user identifier and a jackpot transaction value inputted by a payment attendant, the payment user identifier identifying the payment attendant and the jackpot transaction value indicating an amount of a jackpot won by the player.

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Solomon teaches receiving a payment user transaction signal, said transaction signal including a payment user identifier and a jackpot transaction value inputted by a payment attendant, the payment user identifier identifying the payment attendant and the jackpot transaction value indicating an amount of a jackpot won by the player (Solomon, Fig. 1 and 4, column 4, lines 1-49; where attendant identifies itself to gaming machine and process payments based on list of assigned payment to attendant by the computer).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to receiving a payment user transaction signal, said transaction signal including a payment user identifier and a jackpot transaction value inputted by a payment attendant and the jackpot transaction value indicating an amount of a jackpot won by the player of Hilgendorf et al. because Solomon teaches including above features would enable to meet governmental reporting requirements for casino for reducing fraud and theft (Solomon, column 2, lines 4-6).

Hilgendorf et al. do not teach receiving winning signal from gaming machine and payment user transaction signal at a jackpot server.

Mothwurf et al. teach receiving winning signal from gaming machine and payment user transaction signal at a jackpot server (Mothwurf et al., abstract)

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate receiving winning signal from gaming machine and payment user transaction signal at a jackpot server of Hilgendorf et al. because Mothwurf et al. teach including above features would enable the management of casino

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to flexibly configure the jackpot maximizing profit and turnover (Mothwurf et al., column 2, lines 24-29).

9. As per claim 9 and 10, Hilgendorf et al. teach a method for corroborating a gaming machine jackpot payment, comprising:

generating a jackpot winning signal corresponding to a jackpot won by a player of a gaming machine, said jackpot winning signal including a jackpot value (see Fig. 1, column 3, lines 33-37; where communication unit 26 receives jackpot hit data message from one of the gaming machine 10 and ASCII "0-7" to indicate which of jackpot listed in Table 16 has been hit);

authorizing the jackpot payment user to credit the jackpot value to the winning player without a human jackpot payment corroborating witness (see column 3, lines 11-12; where jackpot is paid through hopper without requirement of a human witness; Examiner notes that it is requirement set by governmental reporting requirement that jackpot payment in excess of certain amount (for example, \$100.00) must be witnessed (see column 3, page 36, Jackpot Payout and Slot Fills (reference U in attached PTO - 892)); .

Hilgendorf et al. do not teach determining a jackpot payment user authorization, including identifying a jackpot payment user and determining if the jackpot payment user is authorized to transfer the jackpot value to the winning player; comparing the jackpot value of said jackpot winning signal to a jackpot manual witness payment value at a jackpot server; declining to authorize the jackpot payment user to credit the jackpot

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value to the winning player if the jackpot value of said jackpot winning signal is greater than the jackpot manual witness payment value.

Solomon teaches determining a jackpot payment user authorization, including identifying a jackpot payment user and determining if the jackpot payment user is authorized to transfer the jackpot value to the winning player (Solomon, Fig. 1 and 4, column 4, lines 1-49; where attendant identifies itself to gaming machine and process payments based on list of assigned payment to attendant by the computer); comparing the jackpot value of said jackpot winning signal to a jackpot manual witness payment value at a jackpot server; declining to authorize the jackpot payment user to credit the jackpot value to the winning player if the jackpot value of said jackpot winning signal is greater than the jackpot manual witness payment value (Solomon, column 1, lines 17-24).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate determining a jackpot payment user authorization, including identifying a jackpot payment user and determining if the jackpot payment user is authorized to transfer the jackpot value to the winning player; comparing the jackpot value of said jackpot winning signal to a jackpot manual witness payment value at a jackpot server; declining to authorize the jackpot payment user to credit the jackpot value to the winning player if the jackpot value of said jackpot winning signal is greater than the jackpot manual witness payment value of Hilgendorf et al. because Solomon teaches including above features would enable to meet governmental reporting requirements for casino for reducing fraud and theft (Solomon, column 2, lines 4-6).

Hilgendorf et al. do not teach receiving winning signal from gaming machine and payment user transaction signal at a jackpot server and comparing this value to generate jackpot value.

Mothwurf et al. teach receiving winning signal from gaming machine and payment user transaction signal at a jackpot server and comparing this value to generate jackpot value (Mothwurf et al., abstract)

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate receiving winning signal from gaming machine and payment user transaction signal at a jackpot server and comparing these value to generate jackpot value of Hilgendorf et al. because Mothwurf et al. teach including above features would enable the management of casino to flexibly configure the jackpot maximizing profit and turnover (Mothwurf et al., column 2, lines 24-29).

Hilgendorf et al. do not teach verifying the jackpot value if the jackpot value of said jackpot winning signal is equal to the jackpot manual witness payment value and printing a jackpot payment transaction receipt including indicia indicating that authorization was granted without the requirement for a corroborating payment witnessing user.

Walker et al. teach verifying the jackpot value if the jackpot value of said jackpot winning signal is equal to the jackpot manual witness payment value and printing a jackpot payment transaction receipt including indicia indicating that authorization was granted without the requirement for a corroborating payment witnessing user (Walker et al., Fig. 14).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to include verifying the jackpot value if the jackpot value of said jackpot winning signal is equal to the jackpot manual witness payment value and printing a jackpot payment transaction receipt including indicia indicating that authorization was granted without the requirement for a corroborating payment witnessing user of Hilgendorf et al. because Walter et al. teach including above features would enable to centralize lottery receiving and processing operations (Walter et al., column 1, lines 37-41).

10. As per claim 11, Hilgendorf et al. in view of Solomon further in view of Mothwurf et al. teach claim 9 as described above. Hilgendorf et al. further teach the method wherein

the jackpot winning signal includes at least one of chronological data or a gaming machine identifier (see Fig; Gaming machine (2-5); column 6, lines 63-65; where signal is conveyed to identify gaming machine).

11. As per claim 12-13, Hilgendorf et al. in view of Solomon further in view of Mothwurf et al. teach claim 9 as described above.

Hilgendorf et al. teach credit the jackpot value to the winning player without a jackpot payment corroborating witness (see column 7, lines 25-31).

Hilgendorf et al. does not teach determining a jackpot payment user authorization comprises determining a jackpot manual payment permission of the jackpot payment user; comparing a jackpot payment user identification code entered at the gaming



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machine to a stored jackpot payment user identification code; and authorizing the jackpot payment user to credit the jackpot value to the winning player.

Solomon teaches determining a jackpot payment user authorization comprises determining a jackpot manual payment permission of the jackpot payment user; comparing a jackpot payment user identification code entered at the gaming machine to a stored jackpot payment user identification code; and authorizing the jackpot payment user to credit the jackpot value to the winning player (Solomon, column 2, lines 15-23; column 7, lines 39-42).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate determining a jackpot payment user authorization comprises determining a jackpot manual payment permission of the jackpot payment user; comparing a jackpot payment user identification code entered at the gaming machine to a stored jackpot payment user identification code; and authorizing the jackpot payment user to credit the jackpot value to the winning player of Hilgendorf et al. in view of Mothwurf et al. because Solomon teaches including above features would enable to reduce the threat of fraud or theft (Solomon, column 2, lines 6-9).

12. As per claims 14-15, Hilgendorf et al. in view of Solomon further in view of Mothwurf et al. teach claim 9 as described above.

Hilgendorf et al. does not teach determining a jackpot payment user authorization comprises generating a jackpot manual payment permission request for the jackpot payment user if said jackpot payment user does not have an associated jackpot manual payment permission; and logging the jackpot manual payment permission request.

Solomon teaches assigning the jackpot payment transaction to employees of casino and storing biometric characteristics of the employee (Solomon, Fig. 4, step 52; Fig. 2, steps 62, 64; column 5, lines 33-54; Examiner interprets assignment of payment transaction involves processing request for new permission).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate determining a jackpot payment user authorization comprises generating a jackpot manual payment permission request for the jackpot payment user if said jackpot payment user does not have an associated jackpot manual payment permission; and logging the jackpot manual payment permission request of Hilgendorf et al. in view of Mothwurf et al. because Solomon teaches including above features would enable to reduce the threat of fraud or theft (Solomon, column 2, lines 6-9).

13. As per claims 16-17, Hilgendorf et al. in view of Solomon further in view of Mothwurf et al. teach claim 9 as described above. Hilgendorf et al. further teach the method of claim 9, further comprising:

crediting the jackpot value to the winning player; dispensing to the winning player cash equal to the jackpot value, dispensing to the winning player a check in the amount of the jackpot value (see column 3, lines 53-56).

Hilgendorf et al. does not teach assigning a credit equal to the jackpot value to the credit meter of the gaming machine, or assigning a credit equal to the jackpot value to an account of the winning player.

Solomon teaches assigning a credit equal to the jackpot value to the credit meter of the gaming machine, or assigning a credit equal to the jackpot value to an account of the winning player (Solomon, column 3, lines 42-44).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate assigning a credit equal to the jackpot value to the credit meter of the gaming machine, or assigning a credit equal to the jackpot value to an account of the winning player t of Hilgendorf et al. in view of Mothwurf et al. because including above features would enable to reduce the gaming machine operating costs.

14. As per claim 19, Hilgendorf et al. in view of Solomon further in view of Mothwurf et al. teach claim 9 as described above.

Hilgendorf et al. does not teach the method wherein the jackpot manual witness payment value is a selectable value.

Solomon teaches the method wherein the jackpot manual witness payment value is a selectable value (see column 3, lines 44-50).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate the jackpot manual witness payment value is a selectable value of Hilgendorf et al. in view of Mothwurf et al. because Solomon teaches including above features would enable to meet the governmental reporting requirements for casino to reduce fraud and theft (Solomon, column 2, lines 4-6).

15. As per claim 20-21, Hilgendorf et al. in view of Solomon further in view of Mothwurf et al. teach claim 9 as described above.

Hilgendorf et al. does not teach the method comprising storing parameters of the jackpot value credit authorization in a jackpot payment database; and parameters of the jackpot value credit authorization include at least one of the jackpot value, a gaming machine identifier, gaming machine chronological data, and a jackpot payment user identifier.

Solomon teaches storing parameters of the jackpot value credit authorization in a jackpot payment database; and parameters of the jackpot value credit authorization include at least one of the jackpot value, a gaming machine identifier, gaming machine chronological data, and a jackpot payment user identifier (Solomon, column 2, lines 18-23, 30-36).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate storing parameters of the jackpot value credit authorization in a jackpot payment database; and parameters of the jackpot value credit authorization include at least one of the jackpot value, a gaming machine identifier, gaming machine chronological data, and a jackpot payment user identifier of Hilgendorf et al. in view of Mothwurf et al. because Solomon teaches including above features would enable to reduce the threat of fraud and theft (Solomon, column 2, lines 6-9).

16. As per claim 40, Hilgendorf et al. teach a method for corroborating a gaming machine jackpot payment, comprising:

receiving a jackpot signal from the gaming machine, said jackpot signal corresponding to a jackpot won by a player of a gaming machine and including a

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jackpot value (see Fig. 1, column 3, lines 33-37; where communication unit 26 receives jackpot hit data message from one of the gaming machine 10 and ASCII "0-7" to indicate which of jackpot listed in Table 16 has been hit);

authorizing the jackpot payment attendant to pay the jackpot value to the winning player at the gaming machine without a human jackpot payment corroborating witness if the jackpot value and the jackpot payment value are equal; paying the jackpot value to the winning player (see column 3, lines 11-12; where jackpot is paid through hopper without requirement of a human witness; Examiner notes that it is requirement set by governmental reporting requirement that jackpot payment in excess of certain amount (for example, \$100.00) must be witnessed (see Mills, J.R.(reference U in attached PTO -892)); and

storing parameters of the jackpot value payment in a jackpot payment database (see Fig. 2; Communication Unit (26); column 2, lines 18-38; where communication unit stores jackpot values such as "Royal Flush", "Straight Flush" and so on and communicates to gaming machines).

Hilgendorf et al. do not teach receiving a jackpot payment request at the jackpot server initiated by a jackpot payment attendant, said jackpot payment request including a user identification signal and a jackpot payment value inputted by a payment attendant, the payment user identifier identifying the payment attendant.

Solomon teaches receiving a jackpot payment request at the jackpot server initiated by a jackpot payment attendant, said jackpot payment request including a user identification signal and a jackpot payment value inputted by a payment attendant, the

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payment user identifier identifying the payment attendant (Solomon, Fig. 1 and 4, column 4, lines 1-49; where attendant identifies itself to gaming machine and process payments based on list of assigned payment to attendant by the computer).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to receiving a payment user transaction signal, said transaction signal including a payment user identifier and a jackpot transaction value inputted by a payment attendant of Hilgendorf et al. because Solomon teaches including above features would enable to meet governmental reporting requirements for casino for reducing fraud and theft (Solomon, column 2, lines 4-6).

Hilgendorf et al. do not determining a jackpot payment authorization for the jackpot payment (attendant); comparing the jackpot value and the jackpot payment value.

Walker et al. teach determining a jackpot payment authorization for the jackpot payment (attendant); comparing the jackpot value and the jackpot payment value (see Fig. 14; column 14, lines 48-59; where the operator verifies the payout amount with the server with identified winning lottery ticket and makes payment the winner without witness present).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate determining a jackpot payment authorization for the jackpot payment (attendant); comparing the jackpot value and the jackpot payment value of Hilgendorf et al. because Walter et al. teach including above features would enable to centralize lottery receiving and processing operations but lottery themselves

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being themselves being sold at remote authorized outlets or terminals (Walter et al., column 1, lines 37-41).

Hilgendorf et al. do not teach receiving winning signal from gaming machine and payment user transaction signal at a jackpot server.

Mothwurf et al. teach receiving winning signal from gaming machine and payment user transaction signal at a jackpot server and comparing these value to generate jackpot value at the jackpot server (Mothwurf et al., abstract)

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate receiving winning signal from gaming machine and payment user transaction signal at a jackpot server and comparing these value to generate jackpot value of Hilgendorf et al. because Mothwurf et al. teach including above features would enable the management of casino to flexibly configure the jackpot maximizing profit and turnover (Mothwurf et al., column 2, lines 24-29).

17. As per claim 41, Hilgendorf et al. in view of Solomon further in view of Mothwurf et al. teach claim 40 as described above.

Hilgendorf et al. does not teach the method comprising receiving a jackpot reimbursement request from a jackpot payment attendant at a value station remote from the gaming machine, said transaction reimbursement request including the user identification signal; comparing the user identification signal of the jackpot reimbursement request with the user identification signal of the jackpot transaction request; authorizing a reimbursement of the jackpot value to the jackpot payment attendant if the user identification signals match; and printing a jackpot transaction

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record indicating authorization of a transfer of the jackpot value without a human jackpot payment corroborating witness.

Solomon teaches the method comprising receiving a jackpot reimbursement request from a jackpot payment attendant at a value station remote from the gaming machine, said transaction reimbursement request including the user identification signal; comparing the user identification signal of the jackpot reimbursement request with the user identification signal of the jackpot transaction request; authorizing a reimbursement of the jackpot value to the jackpot payment attendant if the user identification signals match; and printing a jackpot transaction record indicating authorization of a transfer of the jackpot value without a human jackpot payment corroborating witness (Solomon, abstract).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate the method comprising receiving a jackpot reimbursement request from a jackpot payment attendant at a value station remote from the gaming machine, said transaction reimbursement request including the user identification signal; comparing the user identification signal of the jackpot reimbursement request with the user identification signal of the jackpot transaction request; authorizing a reimbursement of the jackpot value to the jackpot payment attendant if the user identification signals match; and printing a jackpot transaction record indicating authorization of a transfer of the jackpot value without a human jackpot payment corroborating witness of Hilgendorf et al. in view of Mothwurf et al. because



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Solomon teaches including above features would enable to reduce the threat of fraud or theft (Solomon, column 2, lines 6-9).

18. Claims 22-23 and 25-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Solomon, U.S Patent No. 6,892,938 (reference C in attached PTO-892) in view of Mothwurf et al., U.S. Patent No. 6,712,695 (reference B in attached PTO-892) further in view of Walter et al., U.S. Patent No. 7,300,349 (reference D in attached PTO-892).

19. As per claim 22, Solomon teaches a method for paying a gaming machine jackpot, comprising:

generating a jackpot payment transaction request by a jackpot payment user, jackpot payment transaction request including a jackpot payment user identifier and a jackpot payment request value wherein the jackpot payment user identifier identifies the jackpot payment user (see Fig. 2; column 2, lines 53-67; where employee or payment user request payment transaction approval by listing transaction and identifying him/her using biometric sensor);

authorizing at the jackpot server a transfer without a human jackpot payment corroborating witness of a verified jackpot value to a player of said gaming machine (see column 1, lines 16-24; column 6, lines 34-41; where cash payment is made at cash dispensing peripheral without corroborating witness).

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Solomon does not teach verifying at a jackpot server the jackpot payment request value with a jackpot signal value of a jackpot signal transmitted from a gaming machine.

Mothwurf et al. teach verifying at a jackpot server the jackpot payment request value with a jackpot signal value of a jackpot signal transmitted from a gaming machine (Mothwurf et al., abstract)

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to incorporate verifying at a jackpot server the jackpot payment request value with a jackpot signal value of a jackpot signal transmitted from a gaming machine of Solomon because Mothwurf et al. teach including above features would enable the management of casino to flexibly configure the jackpot maximizing profit and turnover (Mothwurf et al., column 2, lines 24-29).

Solomon does not teach printing a jackpot payment transaction receipt including indicia that a human jackpot payment corroborating witness is not required for transfer of verified jackpot value.

Walker et al. teach printing a jackpot payment transaction receipt including indicia that a human jackpot payment corroborating witness is not required for transfer of verified jackpot value (Walker et al., Fig. 14).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to include printing a jackpot payment transaction receipt including indicia that a human jackpot payment corroborating witness is not required for transfer of verified jackpot value of Hilgendorf et al. because Walter et al. teach including above

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features would enable to centralize lottery receiving and processing operations (Walter et al., column 1, lines 37-41).

20. As per claim 23, Solomon in view of Mothwurf et al. teaches claim 22 as described above. Solomon further teaches the method wherein

the jackpot signal further includes **at least one of** a gaming player identity value, a gaming machine identity value, a chronological value, or gaming outcome data (see column 7, lines 56-58).

21. As per claim 25, Solomon in view of Mothwurf et al. teaches claim 22 as described above. Solomon further teaches the method wherein verifying the jackpot value comprises:

comparing the jackpot value of the jackpot signal to a maximum jackpot witness-less manual payment value; and requiring a jackpot payment corroborating witness if the jackpot value of the jackpot signal is greater than the maximum jackpot witness-less manual payment value (see Fig. 4; column 1, lines 16-24; column 27-45; where funds are paid at jackpot fill station using cash dispensing peripheral without witness for predetermined amount).

22. As per claim 26, Solomon in view of Mothwurf et al. teaches claim 22 as described above. Solomon further teaches the method wherein

the maximum jackpot witness-less manual payment value is a selectable value (see Fig. 4; column 1, lines 16-24; column 6, lines 40-45).

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23. As per claim 27, Solomon in view of Mothwurf et al. teaches claim 22 as described above. Solomon further teaches the method wherein verifying the jackpot value comprises:

comparing the jackpot payment request value of the jackpot payment transaction request to a maximum jackpot witness-less manual payment value; and requiring a jackpot payment corroborating witness if the jackpot payment request value is greater than the maximum jackpot witness-less manual payment value; else authorizing the jackpot payment transaction request without a payment corroborating witness requirement (see Fig. 4: column 1, lines 16-24; column 6, lines 28-45).

24. As per claim 28, Solomon in view of Mothwurf et al. teaches claim 27 as described above. Solomon further teaches the method wherein

the maximum jackpot witness-less manual payment value is a selectable value (see column 1, lines 16-24; column 6, lines 28-41; where witness-less manual payment of jackpot is for predetermined value).

25. As per claim 29-30, Solomon in view of Mothwurf et al. teaches claim 22 as described above. Solomon further teaches the method wherein

verifying the jackpot value comprises correlating the jackpot signal value with the jackpot payment request value; and rejecting the jackpot payment transaction request if the jackpot signal value is not equal to the jackpot payment request value; and storing the jackpot payment transaction request rejection (see column 1, lines 16-24; column 7, lines 39-42; where if the jackpot payment amount over predetermined amount is rejected unless authorization another employee or cashier is obtained).

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26. As per claim 31, Solomon in view of Mothwurf et al. teaches claim 30 as described above. Solomon further teaches the method wherein transferring the jackpot value comprises

crediting the jackpot value to a player account (see column 3, lines 42-47; where jackpot payment is credited).

27. As per claim 32, Solomon in view of Mothwurf et al. teaches claim 22 as described above. Solomon further teaches the method comprising:

transferring the jackpot value from the jackpot payment user to the gaming player of said gaming machine (see column 3, lines 43-47; where jackpot payment is made to gaming player by hand pay, hopper fills or credits).

28. As per claim 33, Solomon in view of Mothwurf et al. teaches claim 32 as described above. Solomon further teaches the method wherein transferring the jackpot value to a player comprises

physically transferring a tangible value medium from the jackpot payment user to the player (see column 6, lines 33-36; where payment user or employee physically takes printed ticket to cashier to pay the gaming player).

29. As per claim 34, Solomon in view of Mothwurf et al. teaches claim 22 as described above. Solomon further teaches the method comprising:

storing jackpot value transfer data in a jackpot payment data log (see column 3, lines 44; where examiner interprets crediting the gaming player jackpot payment involves storing jackpot transfer data).

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30. As per claim 35, Solomon in view of Mothwurf et al. teaches claim 34 as described above. Solomon further teaches the method of storing jackpot value transfer data comprises

storing data representing at least one of the jackpot signal or the jackpot payment transaction request (see Fig. 2; column 2, lines 53-67; where employee or payment user request payment transaction approval by listing transaction and identifying him/her using biometric sensor).

31. As per claim 36, Solomon in view of Mothwurf et al. teaches claim 22 as described above. Solomon further teaches the method wherein authorizing a jackpot value transfer comprises:

determining if the jackpot payment user has an associated jackpot manual payment permission; approving the jackpot payment transaction request if the jackpot payment user has an associated jackpot manual payment permission (see column 5, lines 1-6; manual payment of jackpot is permitted after matching sensed biometric characteristics to stored characteristics of the employee making manual payment); and

assigning a jackpot value transfer authorization code (see column 1, lines 48-52; column 5, lines 7-17; where computer 38 print out ticket after matching the biometric characteristics of the employee signifying the authorization of the manual payment to jackpot winner).

32. As per claim 37, Solomon in view of Mothwurf et al. teaches claim 34 as described above. Solomon further teaches the method wherein:

storing jackpot value transfer data comprises storing the jackpot payment transaction request and the jackpot value transfer authorization code (see column 1, lines 48-52; column 3, lines 44; where examiner interprets crediting the gaming player jackpot payment involves storing jackpot transfer data which includes jackpot payment transaction request and the jackpot value transfer authorization code).

33. As per claim 38-39, Solomon in view of Mothwurf et al. teaches claim 36 as described above. Solomon further teaches the method comprising:

rejecting the jackpot payment transaction request if the jackpot payment user does not have an associated jackpot manual payment permission; comparing the jackpot payment request value to a jackpot payment value limit associated with the jackpot payment user; approving the jackpot payment transaction request if the jackpot payment request value is equal to or less than the jackpot payment value limit; and rejecting the jackpot payment transaction request if the jackpot payment request value is greater than the jackpot payment value limit (see column 1, lines 16-24; column 7, lines 39-48; where if amount of jackpot payment to be made by an employee is over predetermined amount, additional authorization by another employee is required).

### ***Response to Arguments***

34. After careful consideration of applicant's amendments and arguments, new ground of rejections of claims has been established in the instant application.

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

The applicant has attacked the references individually, when rejection was made using a combination of Hilgendorf et al., Solomon and Mothwurf et al. Nonobviousness cannot be established by attacking the references individually, when the rejection is predicated upon a combination of prior art disclosures. See *In re Merck & Co.*, 800 F.2d 1091, 1097 (Fed. Cir. 1986).

Examiner respectfully disagrees that features “receiving winning signal from gaming machine and payment user transaction signal at a jackpot server” lacking in Hilgendorf et al. is not taught by Mothwurf et al. Mothwurf et al. teach “a jackpot system for the allocation of wins from at least one jackpot to players... centralized ..computing engine... win determination unit .. to generate a result.. a comparator for comparing the result and initiating transfer of win.. (Mothwurf et al., column 3, lines 7-32).

### ***Conclusion***

35. Accordingly, this is made **Non-Final**. The prior art made of record and not relied upon is considered pertinent to applicant's disclosures. The following are pertinent to current invention, though not relied upon:

Hilgendorf et al. (U.S. Patent No. 5,249,800 teach progressive gaming control and communication system.

Nguyen et al. (U.S. Patent No. 6,984,175) teach electronic payout administration method and system for gaming apparatus.

Nguyen et al. (U.S. Pub No. 2003/0162591) teach player authentication for cashless gaming machine instruments.



Orus et al. (U.S. Patent No. 5,580,310) teach games machine with mechanical counters a laid down by regulations, and with electronic payment mechanism.

Prasad et al. (U.S. Patent No. 6,675,152) teach method of protecting transaction information using transaction signature.

Stanek (U.S. Pub No. 2003/0069059) teaches lotto game having jackpot prize level.

Stern (U.S. Patent No. 6,110,044) teaches method and apparatus for issuing and automatically validating gaming machine payout tickets.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571)270-1374. The examiner can normally be reached on 8:00AM-4:30PM (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571)272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bijendra K. Shrestha/  
Examiner, Art Unit 3691  
02/27/2010